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THE PRESIDENT HAS SEEN

THE WHITE HOUSE

WASHINGTON

April 17, 1975

MEMORANDUM FOR: THE PRESIDENT

FROM: PHILIP BUCHEN P.W.B.
JOHN MARSH
GENERAL SCOWCROFT

Section 212(d)(5) of the Immigration and Nationality Act provides inter alia that "The Attorney General may in his discretion parole into the United States temporarily under such conditions as he may prescribe for emergent reasons or for reasons deemed strictly in the public interest any alien applying for admission to the United States...."

A history of the use of this authority is provided at Tab A.

From April 3 through April 15, 1,703 orphans have been flown out of Vietnam/Cambodia. The parole process has been applied in these cases. An updated report of this action is attached at Tab B.

On April 13, authorization for movement of families accompanying U. S. citizens returning from Vietnam was given. Parole is being used in this action. It is estimated that between 3,000 and 5,000 persons are involved.

It is now essential to consider additional actions:

1. There are 1,000 Cambodians now in Thailand who were evacuated as part of "Eagle Pull" and who may wish to come to the United States. The Thai Government has made it clear that it urgently desires their onward movement. State and Justice request your authorization to proceed with parole for these persons. We recommend your approval.

AGREE AHC

DISAGREE _____

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2. There are about ~~100~~ 950 South Vietnamese at Clark Air Force Base whose presence is straining our relationship with the Philippine Government. Those who qualify for immigrant status under the INA should be paroled into the United States as soon as possible. State recommends that the remainder also be paroled. INS agrees "provided that the number admitted is subtracted from the total number of parolees finally admitted." We recommend parole without caveat.

AGREE MRG

DISAGREE _____

3. There are approximately 3,000 Vietnamese relatives of American citizens or permanent resident aliens in the United States for whom petitions for entry have already been filed and who would otherwise be admissible in due course under normal immigration procedures. State and INS recommend the use of parole to permit their processing to be completed while they are in the United States. Their status will then be converted to the appropriate INA preference as soon as feasible after their arrival here as parolees. We recommend your approval.

AGREE MRG

DISAGREE _____

4. There are also Vietnamese nationals (estimated to number between 10,000 and 75,000) who are immediate relatives of American citizens and permanent residents and for whom petitions have not as yet been filed. The number of those who would and could accept an offer of parole is unknown. State and Justice both recommend parole. We recommend your approval.

AGREE MRG

DISAGREE _____

5. Approximately 5,000 Cambodian diplomats and other refugees in third countries may face forcible return or expulsion, as in India. If the worst should come to pass, the same parole authority will be required for Vietnamese diplomats and other refugees in third countries, also roughly estimated at 5,000. State will make every effort to assist and persuade the UNHC for Refugees to arrange for the relocation of refugees throughout the world, but State also wishes the President to request the Justice

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Department to authorize entry into the United States of all such persons by parole whenever State determines that the efforts of the UNHC for Refugees are not successful.

We recommend that the State Department position be accepted.

AGREE _____

DISAGREE _____

6. Planning is also now required for the potential evacuation of certain high risk Vietnamese. These include U. S. employees, labor leaders engaged in the free trade labor movement (particularly those who have worked with U. S. unions), governmental personnel and others along with their dependents. There is no clear indication of just how great the number will be. Every effort will be made to involve third countries, both directly and through international mechanisms such as the UNHCR and the International Committee for European Refugees. Nevertheless, it is apparent that a large number will wish to come to the United States. This will require the Attorney General's use of parole.

State and INS agree that parole should be exercised for such Vietnamese, but differ sharply as to numbers.

State believes that we should take our fair share of refugees who are unable to be settled elsewhere, and recognizes that the total number, given logistical and political limitations could be approximately 200,000. INS would limit the use of parole to 50,000 or 40% of the total number to be evacuated, whichever is less. It is their view that (1) the domestic impact on our society of admitting a large number is undesirable and (2) the Cuban experiences, wherein the President permitted 675,000 persons to enter the United States, should not be repeated. The INS also believes that it may be necessary to publicly announce this limit to prevent a mass exodus based on false hopes.

The State Department has now accepted the INS limitation based upon presently perceived political problems with the U. S. Congress.

We recommend that planning begin at once to process parole candidates from the category of "high-risk" Vietnamese but that we not attempt to set a limit now. When planning is completed and when efforts of International cooperation have gone further you will better be able to determine what is possible. Practically, it may not be possible to reach the

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level of 200,000 that the State Department originally foresaw.

AGREE GRF

DISAGREE _____

7. We recommend that you direct establishment of a small full-time task force with the necessary authority to improve your decision making data base, assume interdepartmental coordination, and advise you in this emergency. This task force should include high level representatives from the Departments of State, Justice, Labor, HEW and HUD.

AGREE GRF.

DISAGREE _____

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